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David L. Wilner
P.O. Box 2340
Novato, CA 94948-2340
Tel.: 415-898-1200
Fax: 415-897-3489

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MAR 14 2003
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FCC - MAILROOM

March 12, 2003

VIA OVERNIGHT MAIL

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Billed Entity Number: 144227
Form 471 Application Number: 263553
Funding Request No.: 723758
Funding Year 4: 07/01/2001 - 6/30/2002
Vendor: Nextel - Cellular Service

In the Matter of: Request for Review **by** Oakland Unified School District of Decision of
Universal Service Administrator Pursuant to Docket Nos. 96-45 and 97-21

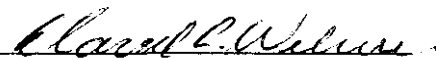
Dear Sir/Madam:

Enclosed please find the following for filing:

1. The request of the Oakland Unified School District for review of the USAC decision referenced herein.
2. Proof of service to show that the fund administrator has been sent a copy of the District's request for review via First Class Mail.

If you require anything further, please contact the undersigned. Thank you.

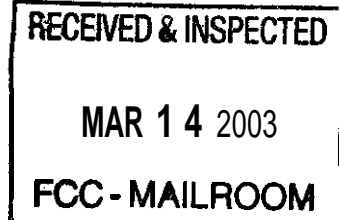
Sincerely,


David L. Wilner

DLW/mw

No. of Copies rec'd 0
List ABCDE

David L. Wilner
Representative for Oakland Unified School District
P.O. Box 2340
Novato, CA 94948-2340
Tel.: 415-898-1200
Fax: 415-897-3489
E-Mail: mawgrey@aol.com



March 12, 2003

VIA OVERNIGHT MAIL

Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room **TW-A325**
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Billed Entity Number: 144227
Form 471 Application Number: 263553
Funding Request No.: 723758
Funding Year 4: 07/01/2001 - 6/30/2002
Vendor: Nextel - Cellular Service

In the Matter of: Request for Review by Oakland Unified School District of Decision of
Universal Service Administrator Pursuant to Docket Nos. 96-45 and 97-21

APPEAL

Dear Sir/Madam:

The Oakland Unified School District ("District") respectfully requests review of the decision by USAC to deny funding to the District for cellular service provided by Nextel (Exhibit 1). The cellular service is used to provide communications for teachers, administrators, and other employees supporting educational services District-wide. The cellular service is invaluable to the District during emergencies, and at times when local telephone service is unavailable. The estimated pre-discount cost for the cellular service was \$206,964.00 for year 4 of the funding program. Because the District would receive a 76% discount on the cellular service, the actual loss in funding for year 4 would be \$157,292.64. As noted in the following appeal, the District paid considerably more than it estimated for the cellular service during funding year 4 due to a substantial increase in the number of users.

GROUNDS FOR REVIEW

1. Administrator's Decision Failed to Consider Evidence Provided by the District

When the District first sought funding for the cellular service (year 4), it estimated the number of cellular users and the monthly cost based on the vendor's representations (see vendor's contract attached as Exhibit 1 to the first appeal attached hereto as Exhibit 2). At the time, there was some confusion concerning the total number of users, type of service plans, and monthly cost because the invoices were not broken down by individual subscribers. Therefore, the District made its best estimate.

During the PIA review in this matter, the District was requested to provide a list of users with titles (Exhibit 3). The District attempted to obtain this information from the vendor, but was advised that this level of detail was unavailable. The District explained this to PIA, and provided a breakdown of users by school and administrative location. The list also indicated which users were eligible (attached as Exhibit 2 to the first appeal attached hereto as Exhibit 2). This was noted on the first appeal in this matter (see Exhibit 2 attached hereto).

During the second appeal, the District was requested to identify the 413 cellular users referred to in the contract for service (see Exhibit 4 attached hereto). Again, the District attempted to obtain this information, but was unsuccessful. As an alternative, the District suggested that eligible users could be determined by a review of the actual bill for October 2001 for the service for funding year 4. The District also arranged for the vendor to provide a detailed summary of that bill, and it was forwarded to the appeal reviewer (see Exhibit 5 attached hereto).

The summary shows that there were approximately 769 users, and the District paid \$49,602.95 for the service during that month. This was almost three times more than what the District estimated, and there were almost twice as many users. The summary also showed how much of the bill was ineligible for discounts (\$867.00) based on voice mail charges. Therefore, the District was clearly eligible for funding.

The District made a special effort to obtain this information during the appeal process, and the vendor agreed to provide backup documentation, if necessary. However, the administrator's decision does not take this into consideration, and denies funding because the District, through no fault of its own, was unable to identify the 413 users listed on the original application (Exhibit 1, p 3).

2. Financial Hardship

If funding is not granted for the cellular service, the loss to the District will be approximately \$157,292.64 for funding year 4. This comes at a time when the District is facing a financial crisis of major proportions and must layoff teachers and administrators as well as reduce expenses (see copy of Oakland Tribune story dated March 4, 2003 attached hereto as Exhibit 6). Under the circumstances, it would be unfair, unjust and unreasonable for USAC to deny funding to the District for the much-needed cellular service.

3. Public Policy

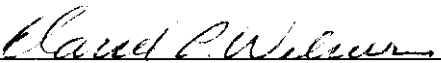
When Congress enacted the E-Rate program, the object was to provide financial assistance to qualified school districts for their telecommunications services. In this instance, the District is clearly entitled to such funding as a matter **of** public policy.

4. Conclusion

The denial in this matter seems to be based on a single issue: The District failed to identify 413 cellular users during the appeal process. There is no question that the cellular service is eligible for E-Rate funding, and the evidence provided by the District shows that there are definitely more than 413 cellular users that are eligible for discounts. The District paid substantially more than what was estimated for the cellular service during funding year 4, but only sought discounts totaling \$157,292.62. Therefore, the District is only requesting discounts on a small portion of the total bill. This amount is clearly supported by the evidence the District provided, and USAC's denial in this instance constitutes an abuse **of** discretion.

For the reasons stated above, the District's appeal should be granted.

Respectfully submitted,



David L. Wilner

Dated: March 12, 2003



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2001-2002

January 13, 2003

David A. Wilner
c/o Oakland Unified School District
Equitable Audit
PO Box 2340
Novato, CA 94948-2340

Re: Billed Entity Number: 144221
 471 Application Number: 263553
 Funding Request Number(s): 723748, 723758, 723761, 123771, 732555
 Your Correspondence Faxed: June 14, 2002

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Four Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 723748
Decision on Appeal: **Approved, Funding Reduced**
Explanation:

- Your appeal has brought forward persuasive information that this funding request should be partially approved. Upon a thorough review of your appeal and the details to the file documented during initial review, it has been determined that PIA requested documentation to validate the eligibility of information as contained within your Item 21 documentation. Validation of the locations **as** requested was not provided after documented requests from PIA during initial review as detailed to the file. Your appeal has not shown that the eligibility of this portion of the funding request was provided during PIA review; therefore your funding request was modified accordingly

Funding Request Number: 723761
Decision on Appeal: **Approved, Funding Reduced**

Explanation:

- Your appeal has brought forward persuasive information that this funding request should be partially approved. Upon review of your appeal you were asked to provide eligibility validation of locations as contained within your Item **21** documentation. You conceded to the ineligibility of the locations questioned, and forwarded a revised phone bill, which was more representative of the actual monthly charges, as over billing for carrier line charges was evidenced in prior bills. Based on information provided upon appeal, your funding request was modified accordingly.

Funding Request Number: 732555

Decision on Appeal: **Approved, Funding Reduced**

Explanation:

- Your appeal has brought forward persuasive information that this funding request should be partially approved. Upon a thorough review of your appeal and the details to the file documented during initial review, it has been determined that **PIA** requested documentation to validate the eligibility of information as contained within your Item 21 documentation. Validation of the locations as requested was not provided after documented requests from PIA during initial review. Your appeal has not shown that the eligibility of this portion of the funding request was provided during PIA review; therefore funding request was modified accordingly.

Since the Administrator's Decision on Appeal approves additional funding for your application, SLD will issue a new Funding Commitment Decision Letter to you and to each service provider that will provide the services approved for discounts in this letter. SLD will issue the Funding Commitment Decision Letter to you as soon as possible. The Funding Commitment Decision Letter will inform you of the precise dollar value of your approved funding request. As you await the Funding Commitment Decision Letter, you may share this Administrator's Decision on Appeal with the relevant service provider(s). However, Forms 486 cannot be filed for the services covered by this appeal until you have received your new Funding Commitment Decision Letter.

Funding Request Number: 723758

Decision on Appeal: **Denied in full**

Explanation:

- Your correspondence appeals the Funding Commitment Decision denying this funding request for insufficient documentation as requested by PIA during initial review. You contend the funding request is for eligible services, that documentation was forwarded to validate the eligibility of the users, that the Funding Commitment Decision Letter is vague and ambiguous, and that the

district will suffer financial hardship and that funding these commitments is in the public interest.

- During appeal review, you were contacted and asked to provide additional documentation **to** validate the eligibility of the 413 users as indicated in your item 21 documentation. Correspondence was forwarded to your attention 10/21/02 regarding this FRN. In response you forwarded the same documentation provided to PIA during initial review. **An** additional correspondence was forwarded 10/31/02 requesting eligibility validation of the users for this service. After subsequent extensions were granted, you responded 11/22/02, yet failed to once again specifically detail the eligibility of the 413 users for this service. As the documentation provided was insufficient to validate the user eligibility for this funding request, your appeal is denied.

Funding Request Number: 723771
Decision on Appeal: **Denied in full**
Explanation:

- Your correspondence appeals the Funding Commitment Decision denying this funding request for insufficient documentation as requested by PIA during initial review. You contend that the funding request is for eligible services that were previously funded. Your appeal also states that a copy of the funding synopsis for year 1 was provided to PIA, in addition to vendor invoices. Additionally you state the Funding Commitment Decision Letter is vague and ambiguous, that the district will suffer financial hardship and that funding these commitments is in the public interest.
- Upon a thorough review of your appeal and the details to the file documented during PIA review, it was determined that PIA documented conversations explaining that the Contract Award Date preceded the Allowable Contract Date on 12/17/01 and 1/04/02. A fax requesting the same is also detailed on 12/18/01. A phone conversation on 1/18/02 followed by a fax requesting the 470 that established these services. Phone conversations are also documented on 2/07/02 and 2/13/02, which details all FRN's and exceptions were discussed as per the 1/18/02 fax. On 3/01/02 PIA documents another conversation requesting the establishing 470 as for these services, an Email was forwarded on this date. As no record exists that another Form 470 was provided, and the Form 470 cited for this FRN had a Contract Award Date that preceded the Allowable Contract Date the FRN was denied. Your appeal has not shown that this funding request was improperly denied, therefore your appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal

Service: FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and **97-21** on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the “Appeals Procedure” posted in the Reference Area of the SLD web site, www.sl.universalservice.org.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

David L. Wilner
Representative for Oakland Unified School District
P.O.Box 2340
Novato, CA 94948-2340
Tel.: 415-898-1200
Fax: 415-897-3489
E-Mail: mawgrey@aol.com

June 14,2002

VIA OVERNIGHT MAIL

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Funding Request No.: 723758
Funding Commitment Decision Letter Date: April 19,2002
Applicant Name: Oakland Unified School District
Form 471 Application **Number:** 263553
Funding Year 4: 07/01/2001 - 6/30/2002
Billed Entity Number: 144227
Vendor: Nextel - Cellular Service
Pre-Discount Amount: \$206,964.00

APPEAL

Dear Sir/Madam:

The Oakland Unified School District ("District") hereby appeals the Funding Commitment Decision Letter denying funding for cellular service provided by Nextel. SLD alleges:
"Applicant has not provided sufficient documentation to determine eligibility of this item."

In **January** of this year, PIA requested the District to provide certain information concerning the application for funding. The District responded fully to each request, and provided sufficient documentation to show that the cellular service is eligible for E-Rate discounts. In fact, the service is eligible for discounts pursuant to the Schools and Libraries Eligible Service List.

GROUNDS FOR REVIEW

1. Eligible Service

The cellular service is eligible pursuant to the Schools and Libraries Eligible Service List, page 2.

2. Eligible Users

PIA requested a copy of a bill or quote to substantiate the \$17,247 per month cost. PIA also inquired about the users of the cellular service, and requested a list of subscribers by department. The District responded by noting that the quote for the cellular service was attached to its application (see Exhibit 1). The District also provided a list showing 541 eligible users, and 142 that were not (see Exhibit 2). Therefore, the District provided documentation to show that the 30% disqualification rule did not apply, and the majority of the users are eligible for E-Rate discounts.

3. Decision Vague and Ambiguous

The Funding Commitment Decision Letter fails to explain in sufficient detail why the cellular service is ineligible. The statement “*Insufficient* documentation” does not advise the District what documentation is lacking. Therefore, the District does not know exactly how to respond beyond the information already provided.

4. Financial Hardship

If funding is not granted, the loss to the District will be approximately \$149,014. This assumes that the District would qualify for 72% of the pre-discount amount. Because the District has paid for the cellular service without the benefit of the E-Rate discounts during Year 4, it has been necessary to make up the loss by reducing or eliminating funding for other school programs.

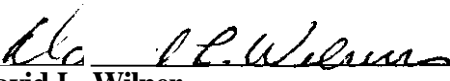
5. Public Policy

When Congress enacted the E-Rate program, the object was to provide financial assistance to qualified school districts for their telecommunications services. In this instance, the cellular service was funded in previous years, and the District budgeted accordingly for Year 4. If the District fails to receive funding, it will be worse off than before it applied for the E-Rate subsidy. Clearly, this is not what Congress intended.

(signature page follows)

For the reasons stated above, the District's appeal should be granted.

Respectfully submitted,



David L. Wilner

Dated: June 14, 2002

EQUITABLE AUDIT''

Exhibit 2

FAX

DATE: March 11,2002

TO: Robin Greateorex

NECA

FAX NO.: 973-884-8395

NO. OF PAGES: 2 (including this sheet)

FROM: David Wilner

Robin - Attached is the break down by department for the Nextel cellular service. ~~Thank~~ you - DW.

Copy: M. Mansoubi, OUSD

BEARCOM

2211B San Ramon Valley Blvd., San Ramon, Ca 94583
925.820.4201 office
925.820.1720 fax

March 11, 2002

VIA FACSIMILE

To Whom It May Concern:

Bearcom Communications, Inc. is an authorized Nextel cellular dealer. We provide Nextel cellular service to Oakland Unified School District. The following is a break down of subscribers by department:

<u>Schools</u>	<u>Approx. No. Of Users</u>
* Principals	173
* Teachers/Secretaries	212
* CDC	45
 <u>Administration</u>	
* Administrative Services	91
* Tech Services	28
Facilities	27
Building & Grounds	51
Food Services	32
Warehouse	25
Purchasing	7

* ELIGIBLE.

TOTAL 693

Sincerely,

Tyrone White
Bearcom Communications, Inc.



FAX

Schools and Libraries
Division
Phone 973-581-6757
Fax 973-884-8395

INFORMATION ONLY

To: MAX MANSOUBI

FROM ROBIN GREATOREX

Phone 510-879-8074

Pages: 1

Fax: 510879-1848

Date: 03/04/02

Re: APPLICATION #263553

CC:

X Urgent

We have been unsuccessful in obtaining information, which is needed to complete your application. Please call me at 973-581-6757 as soon as possible so that I can complete OAKLAND UNIFIED SCHOOL DISTRICT application for funding. If we have not received the information highlighted below by the close of business MARCH 11, 2002 we will process your application based on the information we have.

Dr. Mansoubi,

I have been speaking with David Wilner all week and he has been faxing information but it is not what I have requested or need. I still need the following information:

FRN# 723771 the Contract award date is before the Allowable contract date which is a violation of program rules. I need to know if the cited 470 is the establishing 470 for service or is the contract award date in error?

ACR 1/04/01 CAD 1/11/99.

There is still some confusion about the 112 other locations listed on item 21 for attachment 20. for FRN# 723748

FRN#723758 I need a detailed bill or quote from Nextel to support \$17,247.00 and if this is for cell service please provide a list of users with titles.

I also need clarification on the AT&T bills and the Pacific Bell bills the supporting documentation is more than the requested amount why?

Thank You,

Robin Greatorex



80 South Jefferson Road
Whippany, New Jersey 07981
Fax: 973-599-6525

Universal Service Administrative Company
Schools & Libraries Division

FAX TRANSMISSION COVER SHEET

To: David Wilner
Fax: 1 4 15-897-3489
Subject: Oakland 263553
From: Program Compliance
Date: October 31, 2002
Time: 12:07:09 PM

YOU SHOULD RECEIVE 3 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL THE CONTACT SPECIFIED BELOW.

see attached

Privilege and Confidentiality Notice

The information in this telecopy is intended for the named recipient only. It may contain information that is privileged, confidential or otherwise protected from disclosure. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this telecopied material is strictly prohibited. If you have received the telecopy in error, please notify us by telephone immediately and mail the original to us at the above address. Thank you.

3rd REQUEST FOR ADDITIONAL DOCUMENTATION-

I am in receipt of your correspondence dated 10/25/02. Correspond specifically to the numbered items as listed below and be sure to reference all labeled attachments to your correspondence. Kindly *reference the* above subject Form 471 Application number, and include a copy of this request. All responses forwarded to my attention are to be signed by the appellant on corresponding letterhead.

FRN 723741

1) So as to determine eligibility, please provide a definitive description (to include title, department) for each item of the attached revised Undetermined Eligibility Locations attachment A, as derived from the revised ATT bill dated 8/28/02 forwarded under appeal. I have provided the telephone number for those locations for which "No Td. No. on bill" was indicated in your correspondence.

FRN 723758

2) As previously requested, so as to determine eligibility of the 413 users detailed in Attachment 4A, please provide a breakdown, by department, for each user and list the associated plan cost for each as provided in the Nextel proposal. The information submitted did not specifically address the

Please confirm receipt of this correspondence via jmoore@sl.universalservice.org. you may request SLD receipt of documentation forwarded via the same means. USAC rules dictate, that requests for additional documentation be forwarded within 7 calendar days. Thank you. Jim Moore Phone (973)-884-8138, Fax (973)499-6525.

NECA

Att: J. Moore 1A27
80 So. Jefferson Rd.
Whippany, NJ 07981

Attachment A pgl revised 10/29/02

Undetermined **Eligibility Locations**

<u>Item/Page</u>	<u>Descriptor</u>	<u>Address</u>	
1) 12	Lynn F	10252 nd Ave	Pals social worker
2) 23	Lynn F	1025 2 nd Ave	Emiliano Zapatastuc
3) 23	OUSD	1025 2 nd Ave	Leadership Academy
4) 24	Lynn F	10252 nd Ave	Computer Tone
5) 28	Lynn F	1025 2 nd Ave	Computer Tone
6) 39	981	10252 nd Ave	Computer Tone .
7) 43	OUSD	10252 nd Ave	510-879-3100
8) 47	Lynn F	1025 2 nd Ave	Computer Tone
9) 48	Lynn F	10252 nd Ave	Liz Tomaz
10) 49	Lynn F	10252 nd Ave	510-879-1972
11) 50	Lynn F	1025 2 nd Ave	computer tone
12) 50	Lynn F	1025 2 nd Ave	510-879-2565
13) 51	Chabot Obs.	10252 nd Ave	computer tone
14) 53	921/Harper	314 E 10th	students family

EQUITABLE AUDIT''

Exhibit 5

FAX

DATE: November 22,2002
TO: Jim Moore, 1A27
COMPANY: NECA, Schools & Libraries Division
FAX NO.: 973-599-6525
NO. OF PAGES: 4 (including this sheet)
FROM David Wilner

Re: Oakland Unified School District Application No. 263553, FRN 723758

Please see the attached.

'EQUITABLE AUDIT''

TelecommunicationsAudits

MEMORANDUM

VIA FACSIMILE

TO: **Jim** Moore

COMPANY: NECA, Schools & Libraries Division

FROM: David Wilner

DATE: November **22, 2002**

RE: **Oakland** Unified School District Application **no. 263553, IR 123758**

Mr. Moore - We have obtained the attached account **summary** sheet from Nextel's Government Affairs Department. It is for the October **2001** billing, the agreed study period. The total cost was **\$49,602.95** for the month. This is almost three times more than the **\$17,500** per month **estimated** on the application, and vendor contract.

According to the account **summary**, there are **769** users. This is also considerably more than **the 420 noted on** the application, and vendor contract. The total voice mail charges were **\$867.00** (for **289** users). This represents a very **small** portion of the overall bill. Therefore, it would be reasonable to conclude there are a sufficient number of eligible users to qualify for the modest amount of funding that was requested. It would also be reasonable to take some percentage of the **\$867.00** for voice mail charges, and deduct it from the amount of funding requested.

We have been advised by Nextel that there are approximately one hundred pages of detail to backup the summary sheet that has **been** submitted. They can be provided to you **upon** request.

Hopefully, this response satisfies your outstanding request concerning the cellular service. However, if you have questions or require additional information, please contact me directly. Thank you - DW.

1650 Spruce St. #102
Riverside, Ca 92507
Office: 909-222-3304
Fax: 909-222-2655

Nextel Communications

To: David Wimer Fax: 415/897-3489

From: Kimberley Gregoire Date: 11/21/02

Re: E-Rate-Oakland USD Pages: 3

CC:

☐ Urgent

☒ For Review

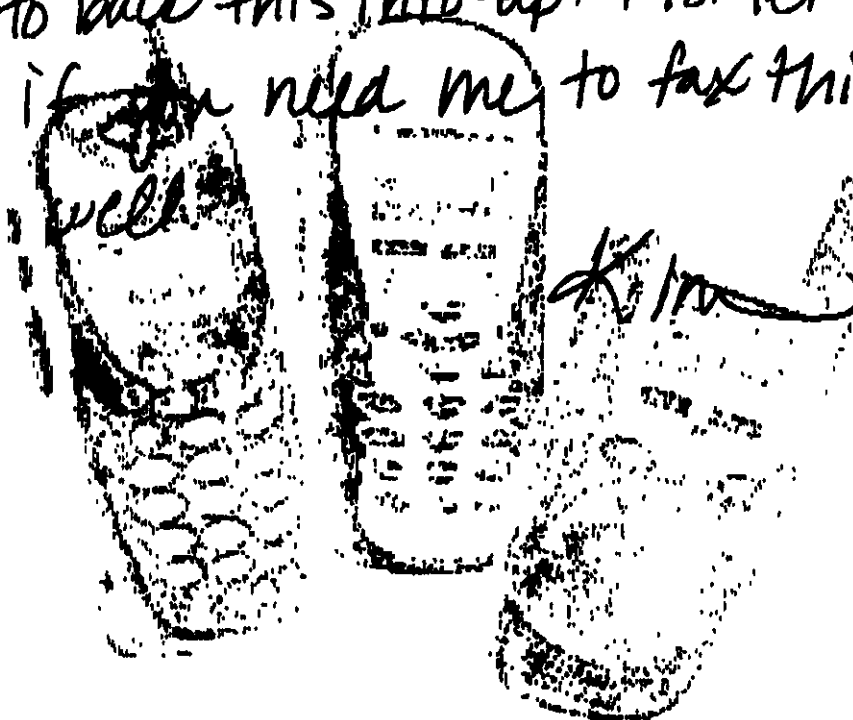
☐ Please Comment

☐ Please Reply

☐ Please Recycle

NOTES:

I've got approx 100 pages of bill summaries to back this into up. Pls. let me know if you need me to fax this over as well.



OAKLAND USD						
Per October, 2001 Bill						
Master Account	Sub Accounts	Total Number of Units on Account	Total Amount on Bill	Total Number of Units w/Voice Mail	Total \$ Amt of Voice Mail - (Ineligible Amt)	Total Eligible Dollar Amount
232510		284	\$ 14,878.47	224	\$ 872.00	\$ 14,208.47
481882		32	\$ 3,842.52	22	\$ 68.00	\$ 3,778.52
264809		5	\$ 203.18	1	\$ 3.00	\$ 200.18
8871805						\$ -
	173548	5	\$ 188.22	0	\$ -	\$ 188.22
	197720	8	\$ 287.41	0	\$ -	\$ 287.41
	207752	10	\$ 833.82	0	\$ -	\$ 833.82
	242108	5	\$ 670.15	0	\$ -	\$ 670.15
	288278	10	\$ 832.27	0	\$ -	\$ 832.27
	285585	8	\$ 488.18	0	\$ -	\$ 488.18
	285884	28	\$ 1,904.55	0	\$ -	\$ 1,904.55
	288880	7	\$ 248.90	0	\$ -	\$ 248.90
	277280	4	\$ 230.15	0	\$ -	\$ 230.15
	281251	11	\$ 728.93	8	\$ 24.00	\$ 702.93
	282802	6	\$ 207.40	0	\$ -	\$ 207.40
	288340	23	\$ 3,129.81	20	\$ 60.00	\$ 3,089.81
	314134	5	\$ 287.75	0	\$ -	\$ 287.75
	318588	8	\$ 550.80	1	\$ 3.00	\$ 547.80
	332248	9	\$ 172.70	0	\$ -	\$ 172.70
	341401	10	\$ 788.93	0	\$ -	\$ 788.93
	350887	8	\$ 1,188.12	0	\$ -	\$ 1,188.12
	384782	7	\$ 348.23	0	\$ -	\$ 348.23
	370250	4	\$ 142.22	0	\$ -	\$ 142.22
	378583	8	\$ 284.46	0	\$ -	\$ 284.46
	403584	7	\$ 243.20	0	\$ -	\$ 243.20
	418131	12	\$ 524.83	0	\$ -	\$ 524.83
	418388	6	\$ 213.33	0	\$ -	\$ 213.33
	421881	15	\$ 748.44	0	\$ -	\$ 748.44
	438887	4	\$ 325.83	0	\$ -	\$ 325.83
	452878	5	\$ 408.52	0	\$ -	\$ 408.52
	463129	6	\$ 501.03	0	\$ -	\$ 501.03
	467854	7	\$ 433.45	0	\$ -	\$ 433.45
	471114	10	\$ 807.83	0	\$ -	\$ 807.83
	490374	51	\$ 2,235.35	3	\$ 9.00	\$ 2,228.35
	492777	6	\$ 533.48	0	\$ -	\$ 533.48
	510718	5	\$ 299.10	0	\$ -	\$ 299.10
	517828	8	\$ 287.41	0	\$ -	\$ 287.41
	517888	7	\$ 257.43	0	\$ -	\$ 257.43
	528882	28	\$ 3,208.82	2	\$ 6.00	\$ 3,203.82
	533747	8	\$ 295.04	0	\$ -	\$ 295.04
	542739	4	\$ 322.67	0	\$ -	\$ 322.67
	547881	6	\$ 278.91	0	\$ -	\$ 278.91
	552888	2	\$ 121.75	0	\$ -	\$ 121.75
	818880	7	\$ 738.21	0	\$ -	\$ 738.21
	723848	9	\$ 551.01	4	\$ 12.00	\$ 539.01
	803521	13	\$ 538.87	0	\$ -	\$ 538.87
	857822	42	\$ 3,314.27	4	\$ 12.00	\$ 3,302.27
	TOTALS:	788	\$ 48,888.85	288	\$ 887.00	\$ 48,735.85

Oakland Tribune

District OKs teacher layoffs

Oakland school board's decision to cut \$17.2 million could eliminate 136 positions

By Alex Katz
STAFF WRITER

Tuesday, March 04, 2003 - OAKLAND — The school board approved \$17.2 million in cuts Monday to help balance next year's budget and get control of a chronic overspending problem.

The budget cuts translate into about 150 jobs — most of them teaching positions — although no individual employees were laid off Monday.

The school district is looking to eliminate 400 to 500 jobs to correct a mounting deficit and avoid a state takeover. A report by outside school budget experts concludes Oakland has more than 500 employees it cannot afford — and has far more teachers on the payroll relative to three other similar urban districts.

District leaders hope to chop \$50 million to \$60 million from the \$280 million general fund next year, a move that some board members and teachers worry would be too much for the school system to bear.

The major cut approved Monday will eliminate \$8 million in teaching positions — about 135 jobs — by making sure all classes are fully enrolled. The district can have 20 students per teacher in kindergarten through third grade and 32 students per teacher in higher grades, although classes are usually smaller.

Some teachers supported the idea.

"You walk into any high school class and there's never more than 25 kids in there," said Kaiser Elementary first-grade teacher Janan Apaydin. "It's better to have smaller class sizes, but if (the money) is not coming from the state, we can't afford it."

But teachers' union leader and Oakland High teacher Ben Visnick said larger classes would cause parents to opt out of the district.

"In the long run, it's going to cost the district money because parents are going to leave," Visnick said.

Many teachers' union leaders at the board meeting routinely tried to shout down board members. They were repeatedly admonished for speaking out of turn.

Other cuts approved by the board would eliminate 19 assistant principals, saving \$1.5 million.

Retirements help

A \$900,000 hit to the Early Childhood Education Program approved Monday will not affect the program's centers, director Dolores Ward told the board. Most of the money will be saved when six administrators retire this year, Ward said.

Another \$630,000 cut would eliminate about eight positions for teachers on special assignment.

The board also passed cuts to the central administration, which Superintendent Dennis Chamnas has already trimmed by 50 percent since he took over the district in 2000. On Monday the board cut 22 percent of what's left, to the tune of \$1.6 million. That figure includes salaries of the district's executive directors, who oversee school principals. It also comprises a \$250,000 reduction in the superintendent's budget and the elimination of the public relations office.

Board members and teachers are hoping that a few hundred of the position cuts come in the form of retirements, resignations and terminations. The rest would come from layoffs.

Under state law, employees to be laid off must be informed in writing by March 15. Some board members say they hope to

send out 800 to 1,000 letters by then to warn employees they may be laid off or moved to a new position.

\$63 million must go

Because of declining enrollment, rising costs and an ongoing deficit, the district has to cut \$63 million to balance the 2003-04 budget. That is not including an expected loss of revenue due to education funding cuts in Sacramento.

"If we could get through this without layoffs - through attrition or an early retirement (program) - nobody would be happier than this board," board member Dan Siegel said.

PROOF OF SERVICE BY MAIL

I, Marie A. Wilner, certify that the following is true and correct:

I am a citizen of the United States, State of California, ~~am~~ over eighteen years of age, and am not a party to the within cause.

My business address is P.O. Box 2340, Novato, California, 94948-2340.

On March 12, 2003, I deposited a true copy of the foregoing REQUEST FOR REVIEW BY OAKLAND UNIFIED SCHOOL DISTRICT OF DECISION OF UNIVERSAL SERVICE ADMINISTRATOR PURSUANT TO FCC DOCKET NOS. 96-45 AND 97-21 in a sealed envelope with first class postage thereof fully prepaid in a mailbox regularly maintained by the United States Government in the City of Novato, California, addressed to the following:

Administrator
Schools and Libraries Division
Universal Service Administrative Company
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

I declare under penalty of perjury under the laws of the United State that the foregoing is true and correct.

Dated this 12th day of March 2003, at Novato, California.

By: Marie A. Wilner
Marie A. Wilner